## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DEANDRE TREMAINE : Civil No. 1:15-CV-1570

THOMPSON,

Petitioner

: (Judge Rambo)

v. (Judge Kambo)

: (Magistrate Judge Schwab)

WARDEN WILLIAM BECHTOLD,

Respondent

## ORDER

Before the court is an August 13, 2015 report and recommendation of the magistrate judge (Doc. 6) to whom this matter was referred, in which she recommends that Thompson's petition for writ of habeas corpus (Doc. 1) be dismissed without prejudice because Thompson has not exhausted state remedies. Objections to the report and recommendation were due no later than August 31, 2015, and, to date, no objections have been filed.

Therefore, upon consideration of the record before the court and the applicable law, **IT IS HEREBY ORDERED THAT**:

- 1) The court adopts the report and recommendation of Magistrate Judge Schwab (Doc. 6);
- 2) Because Thompson has not exhausted state remedies, the petition for writ of habeas corpus (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**.
- 4) This case is remanded to Magistrate Judge Schwab.

s/Sylvia H. Rambo United States District Judge

Dated: September 14, 2015.